

**REMARKS**

Applicant has reviewed the Office Action dated March 7, 2003, and the references cited therewith.

Claims 12 and 16 are amended, claims 22-41 are canceled without prejudice or disclaimer, and claims 42-47 are added. Claims 1-21 and 42-47 are now pending in this application.

**Objection to the Specification**

In the Office Action, the specification was objected to due to informalities. Applicant has amended the specification to provide omitted serial numbers for those patent applications mentioned in the specification. Withdrawal of the objection is respectfully requested.

**§102 Rejection of the Claims**

In the Office Action, claims 1, 3, 4, 7 – 10, 12, 13 and 16 – 21 were rejected under 35 USC § 102(b) as being anticipated by Elias et al. (U.S. Patent No. 5,926,357).

**Claims 1, 3, 4, and 7-10**

Applicant traverses the rejection of claims 1, 3, 4, and 7-10. “Anticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (*emphasis added*).

Claim 1 recites a capacitor comprising “a coupling member having a base surface directly attached to the capacitor stack” and a portion at least partially extending through the feedthrough hole, the coupling member having a mounting section, and a feedthrough conductor having a portion coupled to the mounting section. In contrast, Elias et al. discusses a feedthrough assembly 46 connected to anode tabs 42 by a ribbon 93 (See Fig. 3). Feedthrough assembly 46 is not directly attached to the capacitor stack, as claimed.

Claims 3, 4, and 7-10 include each limitation of parent claim 1 and are therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.



Claims 12 and 13

Applicant has amended claim 12 to better describe the subject matter recited in the claim. Applicant believes claim 12 is not anticipated by the cited reference since the reference does not include each limitation of the claim. For instance, a feedthrough assembly including a coupling member for attaching to a capacitor stack of the capacitor, the coupling member having a mounting hole “and a surface adapted to directly attach to the capacitor stack,” and a feedthrough conductor having a width dimensioned to fit within the mounting hole of the coupling member, as recited in claim 12. Again, Elias et al. discuss feedthrough assembly 46 connected to anode tabs 42 by a ribbon 93 (See Fig. 3). Claim 13 includes each limitation of its parent claim and is therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Claims 16-21

Applicant has amended claim 16 to better describe the subject matter recited in the claim. Applicant believes claim 16 is not anticipated by the cited reference since the reference does not include each limitation of the claim. For instance, a capacitor having a coupling member having a first conductive surface contacting one or more of the conductive surfaces of the capacitor element and “second and third opposing conductive surfaces contacting the feedthrough conductor and extending through the feedthrough hole.” In contrast, Elias et al. discuss a feedthrough post 50 extending through an insulating sleeve 52, which the Office Action characterizes as a mounting section. (See Fig. 3).

Claims 17-21 include each limitation of parent claim 16 and are therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Allowable Subject Matter

In the Office Action, claims 2, 5, 6, 14 and 15 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has rewritten claims 14 and 15 as new claims 42 and 45, respectively. Claims 2, 5, and 6 have been



AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

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Title: CAPACITOR HAVING A FEEDTHROUGH ASSEMBLY WITH A COUPLING MEMBER

Page 9

Dkt: 279.271US1

left as dependent on parent claim 1 since Applicant believes parent claim 1 is allowable. Applicant reserves the right to rewrite claims 2, 5, and 6 as independent claims.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612-359-3267) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 7 day of July, 2003.

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